

OFFICIAL UNDERGRADUATE COURSE OUTLINE FORM

Note: The University reserves the right to amend course outlines as needed without notice.

Course Code and Number: POSC 335		Number of Credits: 3 Course credit policy (105)													
Course Full Title: Courts and Politics Course Short Title: Courts & Politics															
Faculty: Faculty of Social Sciences		Department (or program if no department): Political Science													
Calendar Description: Explores judicial behaviour, rights, constitutionalism, and legal implementation, through the comparative study of the Canadian judiciary and the Charter of Rights and Freedoms.															
Prerequisites (or NONE):		45 university-level credits.													
Corequisites (if applicable, or NONE):															
Pre/corequisites (if applicable, or NONE):															
Antirequisite Courses <i>(Cannot be taken for additional credit.)</i> Former course code/number: Cross-listed with: Equivalent course(s): <i>(If offered in the previous five years, antirequisite course(s) will be included in the calendar description as a note that students with credit for the antirequisite course(s) cannot take this course for further credit.)</i>		Course Details Special Topics course: No <i>(If yes, the course will be offered under different letter designations representing different topics.)</i> Directed Study course: No <i>(See policy 207 for more information.)</i> Grading System: Letter grades Delivery Mode: May be offered in multiple delivery modes Expected frequency: Every other year Maximum enrolment (for information only): 28													
Typical Structure of Instructional Hours <table border="1"> <tr> <td>Lecture/seminar</td> <td>45</td> </tr> <tr> <td>Tutorials/workshops</td> <td></td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td>Total hours</td> <td>45</td> </tr> </table>		Lecture/seminar	45	Tutorials/workshops								Total hours	45	Prior Learning Assessment and Recognition (PLAR) PLAR is available for this course.	
Lecture/seminar	45														
Tutorials/workshops															
Total hours	45														
Scheduled Laboratory Hours Labs to be scheduled independent of lecture hours: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		Transfer Credit <i>(See bctransferguide.ca.)</i> Transfer credit already exists: No Submit outline for (re)articulation: Yes <i>(If yes, fill in transfer credit form.)</i>													
Department approval		Date of meeting: September 2022													
Faculty Council approval		Date of meeting: November 4, 2022													
Undergraduate Education Committee (UEC) approval		Date of meeting: January 27, 2023													

Learning Outcomes *(These should contribute to students' ability to meet program outcomes and thus Institutional Learning Outcomes.)*

Upon successful completion of this course, students will be able to:

1. Critique concepts in judicial politics, including rights, civil liberties, justice, and the rule of law.
2. Compare Indigenous understandings of law and the Canadian common-law tradition.
3. Assess the judicial interpretation of rights under Canada's Charter of Rights and Freedoms in comparative perspective.
4. Explain theories of constitutionalism, judicial behaviour, and legal implementation.
5. Apply theories of constitutionalism, judicial behaviour, and legal implementation to concrete cases.
6. Analyze how judicial systems interact with political systems.

Recommended Evaluation Methods and Weighting *(Evaluation should align to learning outcomes.)*

Assignments:	100%	%	%
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Details:

Discussion	10%
Topic guide and group presentation	10%
Concepts paper	25%

Research paper assignment:

Research question	5%
Research paper thesis and plan	10%
Presentation of research	10%
Research paper	30%

NOTE: The following sections may vary by instructor. Please see course syllabus available from the instructor.

Texts and Resource Materials *(Include online resources and Indigenous knowledge sources. [Open Educational Resources](#) (OER) should be included whenever possible. If more space is required, use the [Supplemental Texts and Resource Materials form](#).)*

Type	Author or description	Title and publication/access details	Year
1. Online resource	Borrows, J.	<i>Freedom and Indigenous Constitutionalism</i> . Toronto: Univ. of Toronto Press. 128-160.	2016
2. Online resource	Galligan, D. J. and M. Versteeg	"Theoretical Perspectives on the Social and Political Foundations of Constitutions." In: D. J. Galligan and M. Versteeg, eds. <i>Social and Political Foundations of Constitutions</i> . New York: Cambridge Univ. Press. 3-48.	2013
3. Online resource	Hausegger, L., T. Riddell, and M. Hennigar, eds	<i>Canadian Courts: Law Politics and Process</i> , 2 nd ed. Don Mills, ON: Oxford University Press Canada. 26-63	2015
4. Article	Loyle, C. E.	"Rebel Justice during Armed Conflict." <i>Journal of Conflict Resolution</i> 65(1): 108-134.	2021
5. Online resource	Moustafa, T. and T. Ginsburg	"Introduction: The Functions of Courts in Authoritarian Politics." In: T. Moustafa and T. Ginsburg, eds. <i>Rule by Law: The Politics of Courts in Authoritarian Regimes</i> . New York: Cambridge Univ. Press. 1-22.	2008

Required Additional Supplies and Materials *(Software, hardware, tools, specialized clothing, etc.)***Course Content and Topics**

- Introduction
- Why courts?
- Indigenous legal systems
- Common law systems, civil law systems, and the Canadian legal system
- Rights, domestic, and International Law- the UNDRIP in Canada
- The rule of law
- Theories of constitutionalism
- Judicial review
- Theories of judicial behaviour
- Legal implementation
- Law as social control
- Law and social change
- Student research presentations